

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

RACHEL KUNTZ and R.D.B. (minor),)	
)	
Plaintiffs,)	
)	
v.)	No. 2:24-CV-00105-JRG-CRW
)	
SPECIAL AGENT JONATHAN FELLERS et al.,)	
)	
Defendants.)	

ORDER

This matter is before the Court on United States Magistrate Judge Cynthia R. Wyrick's Report and Recommendation [Doc. 4]. Judge Wyrick first recommends the Court remove Plaintiff R.D.B., who, according to the Complaint's allegations [Doc. 2], is Plaintiff Rachel Kuntz's minor child, as a party to this action. *See* Fed. R. Civ. P. 17(c); *Shepherd v. Wellman*, 313 F.3d 963, 970–71 (6th Cir. 2002). Second, Judge Wyrick recommends the Court, under 28 U.S.C. § 1915(e)(2)(B)(i) and (ii), dismiss Plaintiffs' claims because they are frivolous or malicious and because Plaintiffs fail to state claims for which relief may be granted. Plaintiffs have not timely objected to Judge Wyrick's report and recommendation. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

Having reviewed the record, the Court agrees with Judge Wyrick's recommendation, and the Court therefore **ACCEPTS IN WHOLE** the report and recommendation under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). For the reasons in the report and recommendation, which the Court adopts and incorporates into this Order, the Court hereby **ORDERS** as follows:

1. Ms. Kuntz's claims, as they apply to her personally and as they apply to her appearance on behalf of R.D.B., are **DISMISSED with prejudice**;
2. The Court **CERTIFIES** that an appeal from this case would not be taken in good faith and would be frivolous. 28 U.S.C. § 1915(a)(3);
3. The Court **FOREWARNS** Ms. Kuntz that any additional filings on her part will result in the Court's referral of her to the chief judge of this district, so that he may determine whether her history of repetitive, vexatious, or frivolous litigation warrants the entry of an injunction against her. *See* E.D. Tenn. Standing Order 18-04; and
4. The Clerk of Court is **DIRECTED** to close this case.

So ordered.

ENTER:

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT:

s/ LeAnna R. Wilson
District Court Clerk